OIPE JUN 04 2004 PATENT & TRADEMARK OFFICE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | |
|---|---|
| In re patent application of: | |
| Michael W. Kruger et al. | Before the Examiner |
| Serial No. 10/783,323 | Not Yet Assigned |
| Filed February 20, 2004 | Group Art Unit 3621 |
| SYSTEM AND METHOD FOR ANALYZING AND CORRECTING RETAIL DATA | June 1, 2004 |

## INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the duty of disclosure in accordance with 37 C.F.R. §1.56, Applicant wishes to bring to the attention of the Examiner the items of information listed on the enclosed Information Disclosure Citation Form. This information has not been previously submitted in this application, and has not been heretofore cited previously by the Examiner. Copies of all foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98(a). Copies of cited U.S. patents and patent applications are not enclosed pursuant to 37 CFR 1.491(b).

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

June 1, 2004
Date of Deposit

Denise M. Gosnell
Name of Registered Representative

Denise M. Gosnell
Signature

June 1, 2004
Date of Signature

The filing of this Information Disclosure Statement shall not be construed as an admission that the information cited is, or is considered to be, material to patentability as defined in §1.56(b).

This Statement is being submitted prior to the mailing of any Office Action on the merits. It is believed that no fee is required for consideration of the submitted items. However, should any fees be deemed required, the Commissioner is authorized to charge such fees to Deposit Account No. 23-3030, but is not to include payment of issue fees.

Respectfully submitted

By: Denise M. Gosnell

Denise M. Gosnell
Reg. No. 51,748
Woodard, Emhardt, Moriarty,
McNett & Henry LLP
Bank One Center/Tower
111 Monument Circle, Suite 3700
Indianapolis, Indiana 46204-5137
(317) 634-3456

PTO/SB/08A (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

OIPE JC2 JUN 04 2004 PATENT & TRADEMARK OFFICE

Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet 1 of 2

| Complete if Known | |
|---|---|
| Application Number | 10/783,323 |
| Filing Date | February 20, 2004 |
| First Named Inventor | Michael W. Kruger et |
| Art Unit | 3621 |
| Examiner Name | |
| Attorney Docket Number | 20250-2 |

**U. S. PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Document Number<br>Number-Kind Code[2] *(if known)* | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|---|---|---|---|---|---|
| /J.S./ | | US- 5,041,972 | 08/20/1991 | Frost | |
| /J.S./ | | US- 2002/0099597 A1 | 07/25/2002 | Gamage et al. | |
| /J.S./ | | US- 2002/0169657 A1 | 11/14/2002 | Singh et al. | |
| /J.S./ | | US- 2003/0028417 A1 | 02/06/2003 | Fox | |
| /J.S./ | | US- 2003/0065555 A1 | 04/03/2003 | von Gonten et al. | |
| /J.S./ | | US- 2003/0083925 A1 | 05/01/2003 | Weaver et al. | |
| /J.S./ | | US- 2003/0171978 A1 | 09/11/2003 | Jenkins et al. | |
| /J.S./ | | US- 6,636,862 B2 | 10/21/2003 | Lundahl et al. | |
| /J.S./ | | US- 2003/0200129 A1 | 10/23/2003 | Klaubauf et al. | |
| /J.S./ | | US- 6,662,192 B1 | 12/09/2003 | Rebane | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |
| | | US- | | | |

**FOREIGN PATENT DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Foreign Patent Document<br>Country Code[3]-Number[4]-Kind Code[5] *(if known)* | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear | T[6] |
|---|---|---|---|---|---|---|
| /J.S./ | | WO 01/80137 A2 | 10/25/2001 | | | |
| /J.S./ | | WO 03/001428 A2 | 01/03/2003 | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

| Examiner Signature | /Jonathan Sterrett/ (07/06/2008) | Date Considered | |
|---|---|---|---|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. [1] Applicant's unique citation designation number (optional). [2] See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. [3] Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). [4] For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. [5] Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. [6] Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

*If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.*

PTO/SB/08B (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet 2 of 2

| *Complete if Known* | |
|---|---|
| **Application Number** | 10/783,323 |
| **Filing Date** | February 20, 2004 |
| **First Named Inventor** | Michael W. Kruger |
| Art Unit | 3621 |
| Examiner Name | |
| Attorney Docket Number | 20250-2 |

**NON PATENT LITERATURE DOCUMENTS**

| Examiner Initials* | Cite No.[1] | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T[2] |
|---|---|---|---|
| /J.S./ | | KONG, E.B.; DIETTERICH, T.G., "Error-Correcting Output Coding Corrects Bias and Variance," http://citeseer.nj.nec.com/kong95errorcorrecting.html | |
| /J.S./ | | LOHSE, G.L.; BELLMAN, S.; JOHNSON, E.J.; "Consumer buying behavior on the Internet: Findings from panel data," http://knowledge.wharton.upenn.edu/pdfs/793.pdf | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

| Examiner Signature | /Jonathan Sterrett/ (07/06/2008) | Date Considered | |
|---|---|---|---|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

*If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.*